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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,394	09/01/2005	Eiji Sunahara	3132 US0P	4910

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EXAMINER	
DUFFY, BRADLEY	
ART UNIT	**PAPER NUMBER**
1643	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
31 DAYS	04/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/540,394	SUNAHARA ET AL.	
	Examiner	Art Unit	
	Brad Duffy	1643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 June 2005*.

2a)☐ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *1-42* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-42 are pending in this application and are currently subject to restriction.

2. Claims 41 is directed to the *use* of (i) a substance that inhibits the expression of a protein of the invention, (ii) a substance that inhibits the expression of a gene of the invention, or (iii) an antibody to manufacture a prophylactic/therapeutic agent for a cancer, while claim 42 is directed to the *use* of (i) a substance that inhibits the expression of a protein of the invention, (ii) a substance that inhibits the expression of a gene of the invention, or (iii) an antibody to manufacture an apoptosis promoter. Therefore, for purposes of this restriction requirement these claims have been interpreted herein as if directed to methods for manufacturing a medicine (i.e., a prophylactic/therapeutic agent for a cancer), said medicine comprising one substance or one antibody from group (i), (ii) or (iii), or directed to methods for manufacturing an apoptosis promoter, said apoptosis promoter comprising one substance or one antibody from group (i), (ii) or (iii), respectively.

Election/Restrictions

3. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions, which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claims 1-3, 11, 22 and 25-26, insofar as the claims are drawn to a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4 and pharmaceutical compositions thereof.

Group II, claims 11-3, 11, 22 and 25-26, insofar as the claims are drawn to a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7 and pharmaceutical compositions thereof.

Group III, claims 1-3, 11, 22 and 25-26, insofar as the claims are drawn to a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10 and pharmaceutical compositions thereof.

Group IV, claims 4-9, 12-13 and 24-27, insofar as the claims are drawn to a polynucleotide consisting of the base sequence represented by SEQ ID NO:5 and vectors or transformants comprising said polynucleotide and other polynucleotides that encode a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4, or a partial peptide thereof.

Group V, claims 4-9, 12-13 and 24-27, insofar as the claims are drawn to a polynucleotide consisting of the base sequence represented by SEQ ID NO:8 and vectors or transformants comprising said polynucleotide and other polynucleotides that encode a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7, or a partial peptide thereof.

Group VI, claims 4-9, 12-13 and 24-27, insofar as the claims are drawn to a polynucleotide consisting of the base sequence represented by SEQ ID NO:11 and vectors or transformants comprising said polynucleotide and other polynucleotides that encode a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10, or a partial peptide thereof.

Group VII, claim 10, insofar as the claim is drawn to method of manufacturing a polypeptide comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4.

Group VIII, claim 10, insofar as the claim is drawn to method of manufacturing a polypeptide comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7.

Group IX, claim 10, insofar as the claim is drawn to method of manufacturing a polypeptide comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10.

Group X, claims 14-16 and 25-27, insofar as the claims are drawn to an antibody that specifically binds a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4 and compositions comprising said antibody.

Group XI, claims 14-16 and 25-27, insofar as the claims are drawn to an antibody that specifically binds a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7 and compositions comprising said antibody.

Group XII, claims 14-16 and 25-27, insofar as the claims are drawn an antibody that specifically binds a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10 and compositions comprising said antibody.

Group XIII, claims 17-18 and 25-26, insofar as the claims are drawn to a polynucleotide comprising the entire or part of a base sequence complementary to the polynucleotide represented by SEQ ID NO:5.

Group XIV, claims 17-18 and 25-26, insofar as the claims are drawn to a polynucleotide comprising the entire or part of a base sequence complementary to the polynucleotide represented by SEQ ID NO:8.

Group XV, claims 17-18 and 25-26, insofar as the claims are drawn to a polynucleotide comprising the entire or part of a base sequence complementary to the polynucleotide represented by SEQ ID NO:11.

Group XVI, claims 19-20, insofar as the claims are drawn to a method of quantifying a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4 comprising using an antibody that specifically binds said protein.

Group XVII, claims 19-20, insofar as the claims are drawn to a method of quantifying a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7 comprising using an antibody that specifically binds said protein.

Group XVIII, claims 19-20, insofar as the claims are drawn to a method of quantifying a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10 comprising using an antibody that specifically binds said protein.

Group XIX, claim 21, insofar as the claim is drawn to a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4 comprising using said protein.

Group XX, claim 21, insofar as the claim is drawn to a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7 comprising using said protein.

Group XXI, claim 21, insofar as the claim is drawn to a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10 comprising using said protein.

Group XXII, claim 23, insofar as the claim is drawn to a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4 comprising using a polynucleotide consisting of the base sequence represented by SEQ ID NO:5 or other polynucleotides that encode a

protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4, or a partial peptide thereof.

Group XXIII, claim 23, insofar as the claim is drawn to a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7 comprising using a polynucleotide consisting of the base sequence represented by SEQ ID NO:8 or other polynucleotides that encode a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7, or a partial peptide thereof.

Group XXIV, claim 23, insofar as the claim is drawn to a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10 comprising using a polynucleotide consisting of the base sequence represented by SEQ ID NO:11 or other polynucleotides that encode a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10, or a partial peptide thereof.

Group XXV, claim 28, insofar as the claim is drawn to an apoptosis promoter that inhibits expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4.

Group XXVI, claim 28, insofar as the claim is drawn to an apoptosis promoter that inhibits expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7.

Group XXVII, claim 28 insofar as the claim is drawn to an apoptosis promoter that inhibits expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10.

Group XXVIII, claim 28, insofar as the claim is drawn to an apoptosis promoter that inhibits expression of a polynucleotide consisting of the base sequence represented by SEQ ID NO:5.

Group XXIX, claim 28, insofar as the claim is drawn to an apoptosis promoter that inhibits expression of a polynucleotide consisting of the base sequence represented by SEQ ID NO:8.

Group XXX, claim 28, insofar as the claim is drawn to an apoptosis promoter that inhibits expression of a polynucleotide consisting of the base sequence represented by SEQ ID NO:11.

Group XXXI, claims 29-30, drawn to an antibody that specifically binds a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:1.

Group XXXII, claim 31-33, drawn to a polynucleotide comprising the entire or part of a base sequence complementary or substantially complementary to a base sequence encoding a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:1, or a partial peptide thereof.

Group XXXIII, claim 34, drawn a method of screening an apoptosis promoter comprising using a polynucleotide encoding a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or a partial peptide thereof.

Group XXXIV, claim 35, drawn to a polynucleotide encoding a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or a partial peptide thereof.

Group XXXV, claim 36, insofar as the claim is drawn to an apoptosis promoter comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group XXXVI, claim 36, insofar as the claim is drawn to an apoptosis promoter comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group XXXVII, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group XXXVIII, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

Group XXXIX, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

Group XXXX, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering a substance that inhibits the expression a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

Group XXXXI, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group XXXXII, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide

Group XXXXIII, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide

Group XXXXIV, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide

Group XXXXV, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group XXXXVI, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

Group XXXXVII, claims 37 and 39, insofar as the claims are drawn to a method for treating/preventing cancer comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

Group XXXXVIII, claims 37 and 39, insofar as the claims are drawn a method for treating/preventing cancer comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

Group IL, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group L, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

Group LI, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

Group LII, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

Group LIII, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group LIV, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide

Group LV, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide

Group LVI, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide

Group LVII, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering an antibody that

specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group LVIII, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

Group LIX, claims 38 and 40, insofar as the claims are drawn to a method of promoting apoptosis of cancer cells comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

Group LX, claims 38 and 40, insofar as the claims are drawn a method of promoting apoptosis of cancer cells comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

Group LXI, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group LXII, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

Group LXIII, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

Group LXIV, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the

expression a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

Group LXV, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group LXVI, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide

Group LXVII, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide

Group LXVIII, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide

Group LXIX, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group LXX, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

Group LXXI, claim 41, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising an antibody that specifically

binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

Group LXXII, claim 41, insofar as the claim is drawn a method of producing a medicine for treating/preventing cancer comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

Group LXXIII, claim 42, insofar as the claim is drawn to a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group LXXIV, claim 42, insofar as the claim is drawn to a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

Group LXXV, claim 42, insofar as the claim is drawn to a method of an apoptosis promoter comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

Group LXXVI, claim 42, insofar as the claim is drawn to a method of producing an apoptosis promoter comprising a substance that inhibits the expression a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

Group LXXVII, claim 42, insofar as the claim is drawn to a method of an apoptosis promoter comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group LXXVIII, claim 42, insofar as the claim is drawn to a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a gene

that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide

Group LXXIX, claim 42, insofar as the claim is drawn to a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide

Group LXXX, claim 42, insofar as the claim is drawn to a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide

Group LXXXI, claim 42, insofar as the claim is drawn to a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

Group LXXXII, claim 42, insofar as the claim is drawn to a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

Group LXXXIII, claim 42, insofar as the claim is drawn to a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

Group LXXXIV, claim 42, insofar as the claim is drawn a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

4. The inventions listed as Groups I-LXXXIV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

To have a general inventive concept under PCT Rule 13.1, the inventions need to be linked by a special technical feature[1]. The technical feature recited in claim 1 is a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, SEQ ID NO:7 or SEQ ID NO:10. This claim lacks inventive step over Baker et al. (WO 00/12708, IDS filed June 23, 2005). Baker et al. teach a protein, PRO1480, that is over 99% identical to the instantly claimed SEQ ID NO:4 and therefore would be considered substantially the same amino acid sequence as SEQ ID NO:4 (see entire document, e.g., page 20, page 181 and Figure 142, i.e., SEQ ID NO:253). Therefore, since Baker et al teach the technical feature recited in claim 1, it is not a special technical feature and the groups do not relate to a single general inventive concept as required under PCT Rule 13.1.

For these reasons, the special technical feature of the invention of Group I is a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4.

The special technical feature of the invention of Group II is a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7.

The special technical feature of the invention of Group III is a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10.

The special technical feature of the invention of Group IV is a polynucleotide consisting of the base sequence represented by SEQ ID NO:5.

The special technical feature of the invention of Group V is a polynucleotide consisting of the base sequence represented by SEQ ID NO:8.

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[1] M.P.E.P. §1893.03(d) states: "A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. The expression special technical features is defined as meaning those technical features that define the contribution which each claimed invention, considered as a whole, makes over the prior art."

The special technical feature of the invention of Group VI is a polynucleotide consisting of the base sequence represented by SEQ ID NO:11.

The special technical feature of the invention of Group VII is a method of manufacturing the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4.

The special technical feature of the invention of Group VIII is a method of manufacturing the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7.

The special technical feature of the invention of Group IX is a method of manufacturing the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10.

The special technical feature of the invention of Group X is an antibody that specifically binds a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4.

The special technical feature of the invention of Group XI is an antibody that specifically binds a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7.

The special technical feature of the invention of Group XII is an antibody that specifically binds a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10.

The special technical feature of the invention of Group XIII is a polynucleotide comprising the entire or part of a base sequence complementary to the polynucleotide represented by SEQ ID NO:5.

The special technical feature of the invention of Group XIV is a polynucleotide comprising the entire or part of a base sequence complementary to the polynucleotide represented by SEQ ID NO:8.

The special technical feature of the invention of Group XV is a polynucleotide comprising the entire or part of a base sequence complementary to the polynucleotide represented by SEQ ID NO:11.

The special technical feature of the invention of Group XVI is a method of quantifying a protein comprising the same or substantially the same amino acid

sequence as the amino acid sequence represented by SEQ ID NO:4 comprising using an antibody that specifically binds said protein.

The special technical feature of the invention of Group XVII is a method of quantifying a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7 comprising using an antibody that specifically binds said protein.

The special technical feature of the invention of Group XVIII is a method of quantifying a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10 comprising using an antibody that specifically binds said protein.

The special technical feature of the invention of Group XIX is a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4 comprising using said protein.

The special technical feature of the invention of Group XX is a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7 comprising using said protein.

The special technical feature of the invention of Group XXI is a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10 comprising using said protein.

The special technical feature of the invention of Group XXII is a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4 comprising using a polynucleotide consisting of the base sequence represented by SEQ ID NO:5.

The special technical feature of the invention of Group XXIII is a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7 comprising using a polynucleotide consisting of the base sequence represented by SEQ ID NO:8.

The special technical feature of the invention of Group XXIV is a method of screening a compound that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10 comprising using a polynucleotide consisting of the base sequence represented by SEQ ID NO:11.

The special technical feature of the invention of Group XXV is an apoptosis promoter that inhibits expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:4.

The special technical feature of the invention of Group XXVI is an apoptosis promoter that inhibits expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:7.

The special technical feature of the invention of Group XXVII is an apoptosis promoter that inhibits expression of a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:10.

The special technical feature of the invention of Group XXVIII is an apoptosis promoter that inhibits expression of a polynucleotide consisting of the base sequence represented by SEQ ID NO:5.

The special technical feature of the invention of Group XXIX is an apoptosis promoter that inhibits expression of a polynucleotide consisting of the base sequence represented by SEQ ID NO:8.

The special technical feature of the invention of Group XXX is an apoptosis promoter that inhibits expression of a polynucleotide consisting of the base sequence represented by SEQ ID NO:11.

The special technical feature of the invention of Group XXXI is an antibody that specifically binds a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:1.

The special technical feature of the invention of Group XXXII is a polynucleotide comprising the entire or part of a base sequence complementary or substantially complementary to a base sequence encoding a protein comprising the same or substantially the same amino acid sequence as the amino acid sequence represented by SEQ ID NO:1, or a partial peptide thereof.

The special technical feature of the invention of Group XXXIII is a method of screening an apoptosis promoter comprising using a polynucleotide encoding a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or a partial peptide thereof.

The special technical feature of the invention of Group XXXIV is a polynucleotide encoding a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or a partial peptide thereof.

The special technical feature of the invention of Group XXXV is an apoptosis promoter comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group XXXVI is an apoptosis promoter comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group XXXVII is a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group XXXVIII is a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group XXXIX is a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group XXXX is a method for treating/preventing cancer comprising administering a substance that inhibits the expression a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group XXXXI is a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group XXXXII is a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group XXXXIII is a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group XXXXIV is a method for treating/preventing cancer comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group XXXXV is a method for treating/preventing cancer comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group XXXXVI is a method for treating/preventing cancer comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group XXXXVII is a method for treating/preventing cancer comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group XXXXVIII is a method for treating/preventing cancer comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group IL is a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group L is a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group LI is a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group LII is a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group LIII is a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group LIV is a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group LV is a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group LVI is a method of promoting apoptosis of cancer cells comprising administering a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group LVII is a method of promoting apoptosis of cancer cells comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group LVIII is a method of promoting apoptosis of cancer cells comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group LIX is a method of promoting apoptosis of cancer cells comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group LX is a method of promoting apoptosis of cancer cells comprising administering an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group LXI, claim 8, insofar as the claim is drawn to a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group LXII is a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group LXIII is a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group LXIV is a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits

the expression a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group LXV is a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group LXVI is a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group LXVII is a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group LXVIII is a method of producing a medicine for treating/preventing cancer comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group LXIX is a method of producing a medicine for treating/preventing cancer comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group LXX is a method of producing a medicine for treating/preventing cancer comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group LXXI is a method of producing a medicine for treating/preventing cancer comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group LXXII is a method of producing a medicine for treating/preventing cancer comprising an antibody that

specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group LXXIII is a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group LXXIV is a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group LXXV is a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group LXXVI is a method of producing an apoptosis promoter comprising a substance that inhibits the expression a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group LXXVII is a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group LXXVIII is a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group LXXIX is a method of producing an apoptosis promoter comprising a substance that inhibits the expression of a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group LXXX is a method of producing an apoptosis promoter comprising a substance that inhibits the expression of

a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

The special technical feature of the invention of Group LXXXI is a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group LXXXII is a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group LXXXIII is a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group LXXXIV is a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

Accordingly the groups are not so linked as to form a single general concept under PCT Rule 13.1.

5. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the

a gene that encodes a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide

The special technical feature of the invention of Group LXXXI is a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:1, or its partial peptide.

The special technical feature of the invention of Group LXXXII is a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:4, or its partial peptide.

The special technical feature of the invention of Group LXXXIII is a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:7, or its partial peptide.

The special technical feature of the invention of Group LXXXIV is a method of producing an apoptosis promoter comprising an antibody that specifically binds to a protein comprising the same or substantially the same amino acid sequence represented by SEQ ID NO:10, or its partial peptide.

Accordingly the groups are not so linked as to form a single general concept under PCT Rule 13.1.

5. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the

record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103 (a) of the other invention.

6. The examiner has required restriction between product and process claims. Where applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims that depend from or otherwise include all the limitations of the allowable product claim will be rejoined in accordance with the provisions of MPEP § 821.04. Process claims that depend from or otherwise include all the limitations of the patentable product will be entered as a matter of right if the amendment is presented prior to final rejection or allowance, whichever is earlier. Amendments submitted after final rejection are governed by 37 CFR 1.116; amendments submitted after allowance are governed by 37 CFR 1.312.

In the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined process claims will be fully examined for patentability in accordance with 37 CFR 1.104. Thus, to be allowable, the rejoined claims must meet all criteria for patentability including the requirements of 35 U.S.C. 101, 102, 103, and 112. Until an elected product claim is found allowable, an otherwise proper restriction requirement between product claims and process claims may be maintained. Withdrawn process claims that are not commensurate in scope with an allowed product claim will not be rejoined. See "Guidance on Treatment of Product and Process Claims in light of *In re Ochiai, In re Brouwer* and 35 U.S.C. § 103(b)," 1184 O.G. 86 (March 26, 1996). Additionally, in order to retain the right to rejoinder in accordance with the above policy, Applicant is advised that the process claims should be amended during prosecution either to maintain dependency on the product claims or to otherwise include the limitations of the product claims. Failure to do so may result in a loss of the right to rejoinder.

Further, note that the prohibition against double patenting rejections of 35 U.S.C. 121 does not apply where the restriction requirement is withdrawn by the examiner before the patent issues. See MPEP § 804.01.

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(l).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brad Duffy whose telephone number is (571) 272-9935. The examiner can normally be reached at Monday through Friday from 7:00 AM to 4:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms, can be reached at (571) 272-0832. The official fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully,
Brad Duffy
571-272-9935

bd
March 29, 2007

/STEPHEN RAWLINGS/
PRIMARY EXAMINER
ART UNIT 1643